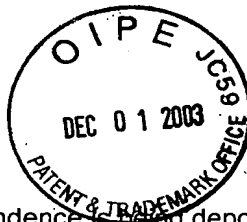


Docket No.: MOH-P010006



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: _____

Date: November 25, 2003

UNITED STATES IN THE PATENT AND TRADEMARK OFFICE

Applic. No. : 10/673,967
Applicant : Martin Dust
Filed : September 29, 2003
Art Unit : to be assigned
Examiner : to be assigned

Docket No. : MOH-P010006
Customer No. : 24131

LETTER

Hon. Commissioner for Patents

Sir:

Enclosed please find a copy of the English translation of the International Preliminary Examination Report for the above-identified application. Please enter it into the file.

Respectfully submitted,

For Applicant

WERNER H. STEMER
REG. NO. 34,956

Date: November 25, 2003

Lerner and Greenberg, P.A.
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/bmb

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|--|---|--|
| Applicant's or agent's file reference SN/P010006WO | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/EP02/02236 | International filing date (day/month/year) 01 March 2002 (01.03.02) | Priority date (day/month/year) 28 March 2001 (28.03.01) |
| International Patent Classification (IPC) or national classification and IPC G01B 17/02 | | |
| Applicant FRAMATOME ANP GMBH | | |

| | |
|--|--|
| 1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. | |
| 2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. | |
| <input type="checkbox"/> | This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets. |
| 3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application | |

| | |
|--|--|
| Date of submission of the demand 24 September 2002 (24.09.02) | Date of completion of this report 24 June 2003 (24.06.2003) |
| Name and mailing address of the IPEA/EP Facsimile No. | Authorized officer Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP02/02236

I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

- ☐ the international application as originally filed.
- ☒ the description, pages 1-5, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 1,2, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/5-5/5, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 02/02236

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|------|-----|
| Novelty (N) | Claims | 1, 2 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | 1, 2 | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | 1, 2 | YES |
| | Claims | | NO |

2. Citations and explanations

The invention according to the single independent Claim 1 relates to a process for the ultrasonic measurement of the thickness of a partial layer in a multilayered structure with reduced boundary surface reflection. For this purpose, generally a plurality of ultrasound blasts are superposed, as has already occurred in Figures 2 and 3 of the application; see page 4, lines 21-24. It is from this point that the invention according to Claim 1 proceeds in that a plurality of wall thickness echo periods from different running periods are superposed. This appears to be non-obvious since a person skilled in the art in March 2001 would merely use conventional blast superposition. Consequently, Claims 1 and 2 are considered to satisfy the criteria according to PCT Article 33(2-4).

Claim 1 indicates a plurality of original pulses; however, only one of them is used. Prior blast superposition appears to be necessary. PCT Article 6.